

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

WARD, Chairman.

Committee Room,

Austin, Texas, Feb. 11, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 261, A bill to be entitled "An Act amending Article 726 of the Code of Criminal Procedure of 1911 so as to vest in the trial judge authority to determine whether severance shall be granted in cases where defendants are jointly or severally indicted, and repealing Article 727 of the Code of Criminal Procedure of 1911, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

WARD, Chairman

Committee Room,

Austin, Texas, Feb. 12, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 278,

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and that it be not printed.

DAVIS, Chairman.

TWENTY-FIFTH DAY.

Senate Chamber,

Austin, Texas,

Friday, February 13, 1925.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor Barry Miller.

The roll was called, a quorum being present, the following Senators answering to their names:

Bailey.	Holbrook.
Berkeley.	Lewis.
Bledsoe.	Moore of Cooke.
Bowers.	Moore of Hunt.
Davis.	Murphy.
Fairchild.	Parnell.
Floyd.	Parr.
Hardin of Erath.	Pollard.
Hardin of Kaufman.	Price.

Real.
Reid.
Russek.
Strong.
Triplett.

Ward.
Wirtz.
Wood.
Woodward.

Absent—Excused.

Miller.
Smith.

Stuart.
Witt.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Davis.

Bills and Resolutions.

By Senator Berkeley:

S. J. R. No. 10, A joint resolution "Proposing an amendment to the constitution providing for taxation of school lands owned by counties."

Read first time and referred to Committee on Constitutional Amendment.

By Senator Moore of Hunt:

S. B. No. 302, A bill to be entitled "An Act reorganizing the State of Texas into supreme judicial district for the purpose of constituting and organizing courts of civil appeals herein; creating the Twelfth Supreme Judicial District of Texas, with Greenville as the site of said court; providing for the appointment and qualification of the judges of said Twelfth Supreme Judicial District, and other officers thereof; providing for the transfer of cases and regulating appeals from the lower courts of the counties constituting said Twelfth Supreme District of Texas, providing an appropriation for the maintenance of said court, and declaring an emergency."

Read first time and referred to Committee on Judicial Districts.

By Senator Berkeley:

S. B. No. 303, A bill to be entitled "An Act to provide that owners of public free school land heretofore purchased from the State of Texas, which land may hereafter be forfeited for non-payment of interest as now provided by law, provided said forfeiture was caused by reason of interest accrued or accruing prior to the taking effect of this Act, shall have the right to repurchase said lands or any part thereof at the re-appraised value thereof under the law now governing such sales, and leaving any lien and valid contractual right existing in and to the land so repurchased unimpaired and providing for a revaluation of such land by the Commissioner of the Gen-

eral Land Office as may be desired to be repurchased under this Act, and declaring an emergency."

Read first time and referred to Committee on Public Lands and Land Office.

By Senator Holbrook:

S. B. No. 304, A bill to be entitled "An Act providing for publicity as to membership and official connection with fraternal, benevolent or other societies, organizations, lodges, or orders; requiring the filing with the county tax collector of signed and sworn statements disclosing membership or official connection, either present or within two years next preceding, with any such society, organization, lodge or order, and making such statements public records subject to the inspection of any citizen; prescribing the form of such statements; prescribing the duties of the tax collector in connection with such statements; prescribing penalties for false statements and violation or failure to comply with this Act or any provision hereof, and declaring an emergency."

Read first time and referred to Committee on Criminal Jurisprudence.

By Senator Holbrook:

S. B. No. 305, A bill to be entitled "An Act to prohibit the doing of the Acts hereinafter recited, and to declare them to be offenses; and defining and fixing penalties for violation of the provisions of this Act, and declaring an emergency.

(a) Going into or near any public place masked or disguised, and defining a public place.

(b) Going masked or disguised into or near any private house, or who demand or seek entrance therein, or disturb the inhabitants thereof.

(c) Going masked into a church or other place where people are assembled for religious purposes or services.

(d) The acting in concert of two or more persons when masked or disguised, or the aiding or abetting by said persons of each other, and the assaulting when so in disguise by such person of any other person, or the false imprisonment by such persons of any other person.

(e) The parading of any secret society or organization, or a part of the members thereof, when masked

or disguised upon or along any public road, or any street or alley of any city or town of this State, and declaring equally guilty other members of such society who aid, abet or encourage such parading, and declaring an emergency."

Read first time and referred to Committee on Criminal Jurisprudence.

By Senator Berkeley, by Request:

S. B. No. 306, A bill to be entitled "An Act to amend Section 7, Part 1 of Chapter 103 of the General Laws of the State of Texas passed at the Regular Session of the Thirty-fifth Legislature as amended by Section A, of Chapter 177 of the General Laws of the State of Texas passed at the Regular Session of the Thirty-eighth Legislature so as to abolish the limitation of four weeks as the period of time which the insurance association operating under said Act shall furnish medical aid, hospital services, supplies and medicine to an injured employe, and to require such association to furnish such medical aid and services after the period of four weeks from the time of the accident of whether injuries incurred are sufficient to require the employe to be placed in a hospital or not."

Read first time and referred to Committee on Insurance.

By Senator Pollard:

S. B. No. 307, A bill to be entitled "An Act amending Article 1903 of the Revised Statutes of the State of Texas of 1911, Title 37, Chapter 8, as amended by Section 1, Chapter 176, page 388 of the General Laws of the State of Texas passed by the Thirty-fifth Legislature at its Regular Session, relating to pleas of privilege, the sufficiency thereof and the procedure thereon so as to provide a definite length of time in which to file controverting affidavits and providing that an appeal shall in all events suspend trial on the merits pending the appeal and adding to said Title 37, Chapter 8, Articles 1903-A, providing for the time for filing transcript and statement of facts on appeal in such cases and Article 1903-B, relating to briefs on such appeal in the Court of Civil Appeals; and providing that the Act shall only apply to cases filed subsequent to time it become effective;

and repealing all laws in conflict with this Act, and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Woodward, by Request:

S. B. No. 308, A bill to be entitled "An Act amending Articles 1255, 1255a Penal Code and declaring an emergency."

Read first time and referred to Committee on Criminal Jurisprudence.

By Senator Davis:

S. B. No. 309, A bill to be entitled "An Act to provide that money paid political party committees shall not be counted in the amount limited for campaign expenses; and to repeal all laws in conflict herewith."

Read first time and referred to Committee on Privileges and Elections.

By Senator Fairchild:

S. J. R. No. 11, A joint resolution "Proposing an amendment to Article 16 of the Constitution of Texas, by the addition of a new section to said Article 16, to be numbered Section 60; providing legislative authority for the enactment of laws to encourage the conservation of the timber resources of the State, and for the reforestation of deforested lands; for the administration of such laws; for the time and manner of voting upon such proposed constitutional amendment; defining certain duties of the Governor in connection therewith; and making an appropriation to defray expenses of proclamation, publication and election."

Read first time and referred to Committee on Constitutional Amendments.

Excused.

On account of important business: Senator Moore of Hunt was excused for today and tomorrow, on motion of Senator Bledsoe.

Morning call concluded.

Senate Bill No. 74.

The Chair laid before the Senate, on third reading,

S. B. No. 74, A bill to be entitled "An Act to provide for the construction and maintenance of a State Highway System under the direct control of the State Highway Depart-

ment and with appropriations out of the State Highway Fund; authorizing the commissioners' court of any county to grant aid for the improvement by the State Highway Department of any section or sections of said highway system located in said county; regulating the manner of paying such aid; regulating the making of contracts by the State Highway Department for the improvement of said highway system; authorizing the condemnation of materials to be used in the improvement of a State highway and of land for rights-of-way; declaring the invalidity of any provision of this Act shall not affect the validity of any other provision; repealing all laws and parts of laws in conflict with this Act, and declaring an emergency."

The bill was read third time and passed finally.

Message From the House.

Austin, Texas, Feb. 13, 1925.

Hall of the House of Representatives, Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

S. B. No. 90, A bill to be entitled "An Act to exempt the county of Culberson from the provisions and operation of Article 7256 to 7304 inclusive of Chapter 7, Title 124, of the Revised Civil Statutes of 1911, relating to the inspection of hides and animals; repealing all laws in conflict therewith, and declaring an emergency."

S. B. No. 56, A bill to be entitled "An Act to require all railway companies, and all other persons, firms and corporations to place all bridges, viaducts, overheadways, foot bridges, or wires wherever built or placed over the tracks of a railway not less than twenty-two (22) feet from the top of the rails of such track, and to place all loading platforms, houses, structures, fences, lumber, wood and other materials wherever built, placed or stored along railway lines, spurs, switches or sidings not less than (6) feet from the outside rails of such main line, spur, switch or siding track; providing distance of roof of loading platforms from such track; providing a penalty for the violation of such Act, to be collected by civil suit; providing for the promulgation of rules by the Railroad Commission in accordance with the

Act, for the supervision by the Commission of the enforcement of such rules, and reporting any violation of the Act to the Attorney General; providing further for modification of the requirements of the Act by the Railroad Commission in stipulated cases, and declaring an emergency."

S. B. No. 113, A bill to be entitled "An Act amending Section 124a of Chapter 124 of the General Laws of the Regular Session of the Twenty-ninth Legislature, page 296, so as to make it a felony to violate said section, said section being upon the subject of preventing fraud in teachers' examinations, and declaring an emergency."

With amendments.

S. B. No. 123, A bill to be entitled "An Act to create a lien in favor of any person, firm or corporation who may furnish any material, apparatus, fixtures, machinery or labor, to contractors who contract for public improvements, and declaring an emergency."

S. B. No. 175, A bill to be entitled "An Act to permit the issuance to, and use by Senators and members of the House of Representatives and their families, of free railroad transportation and sleeping car accommodations."

S. B. No. 218, A bill to be entitled "An Act to repeal Chapter 50 of the Local and Special Laws of the Regular Session of the Thirty-eighth Legislature, which said Act became effective the 4th day of April, 1923, and which said Act created a special road system for Fayette County, Texas, and declaring an emergency."

H. B. No. 319, A bill to be entitled "An Act enlarging and re-establishing the limits and defining the territory embraced within the Theny Independent School District in Comanche County, Texas, divesting control of the free schools in said district from the existing district and investing the same in the district herein created, etc."

H. B. No. 176, A bill to be entitled "An Act validating Common Line Consolidated School District No. 3 of Henderson and Kaufman Counties as defined and attempted to be created by the county board of school trustees of Henderson County on September 4, 1923, and the county board of school trustees of Kaufman County on August 13, 1923, validating all bond issues and special taxes which may have been voted by said district, ratifying all acts of the local

board of trustees of said district under the control of Henderson County, and declaring an emergency."

H. B. No. 208, A bill to be entitled "An Act to amend Article 2643, Revised Civil Statutes of Texas, 1911, and as amended by Chapter 37 of the Acts of the Regular Session of the Thirty-eighth Legislature, 1923, setting aside the interest and income from the University permanent fund and lands for the purpose of constructing permanent improvements on the campus of the University or at its branches, declaring void any contract for the expenditure of said funds for any other purpose by repealing the following provision of said article: Provided that no lease of said land shall be made for a period of more than four years during the fifteen-year period, and declaring an emergency."

H. B. No. 284, A bill to be entitled "An Act to create the Hext Common School District in Menard County, Texas, including therein the present Hext Common School District No. 18 in Menard County; providing a board of trustees therefor, vesting said common school district board of trustees with all the rights, powers, privileges and duties conferred upon common school districts incorporated under the General Laws of Texas, etc."

Respectfully submitted,

C. L. PHINNEY,

Chief Clerk, House of Representatives.

(President Pro Tem Wirtz in the Chair.)

Senate Bill No. 94.

The Chair laid before the Senate, on third reading,

S. B. No. 94, A bill to be entitled "An Act authorizing legislative bodies of incorporated cities and towns to provide for the promotion of health, safety, morals and general welfare of the community; to regulate and restrict the size, kind and character of buildings; the dimensions of lots, yards, etc.; the density of population and the location and use of buildings for trade, industries, residences, or other purposes; providing that said municipal legislative bodies may subdivide the municipality into districts to carry out the purposes of this Act, and within such districts to regulate construction and alteration of buildings, and the use of land thereof contained to

facilitate the adequate provision of transportation, water, sewerage, schools and parks, and to promote the health and general welfare; providing the method of procedure whereby such legislative bodies shall establish regulations and restrictions to carry out the purpose of this Act; providing the manner and method of making changes in such regulations and restrictions; providing for the creation of a zoning commission and defining its powers and duties; providing for a board of adjustment and defining its powers and duties; prescribing the remedy to be pursued in case of violation of this Act or any ordinance or regulation made under authority conferred thereby; describing the manner of constructing this Act with relation to other laws, ordinances and regulations; providing for the repeal of laws or parts of laws in conflict therewith, and declaring an emergency."

The bill was read third time, and Senator Bailey offered the following amendment:

Amend S. B. No. 94 and caption thereof by inserting after the words "Cities and Towns" wherever they occur the words "having a population of more than ten thousand as the United States Census of 1920," and make the bill conform thereto.

The amendment was read and lost by the following vote, a two-third vote being necessary:

Yeas—13.

Bailey.	Hardin of Kaufman.
Berkeley.	Moore of Cooke.
Bowers.	Pollard.
Davis.	Price.
Fairchild.	Russek.
Floyd.	Strong.
Hardin of Erath.	

Nays—11.

Bledsoe.	Reid.
Holbrook.	Triplett.
Murphy.	Ward.
Parnell.	Wood.
Parr.	Woodward.
Real.	

Absent.

Lewis.	Wirtz.
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Absent—Excused.

Miller.	Stuart.
Moore of Hunt.	Witt.
Smith.	

The bill was read and failed of passage, by the following vote:

Yeas—10.

Berkeley.	Real.
Bledsoe.	Reid.
Davis.	Triplett.
Holbrook.	Ward.
Murphy.	Woodward.

Nays—11.

Bailey.	Pollard.
Bowers.	Price.
Fairchild.	Russek.
Hardin of Kaufman.	Strong.
Moore of Cooke.	Wood.
Parr.	

Absent.

Floyd.	Parnell.
Hardin of Erath.	Wirtz.
Lewis.	

Absent—Excused.

Miller.	Stuart.
Moore of Hunt.	Witt.
Smith.	

(Lieutenant Governor in the Chair).

House Bill No. 218.

Senator Parr moved that H. B. No. 218 be made a special order for Monday at 2 o'clock.

Senator Bowers moved, as a substitute, that the further consideration of H. B. No. 218 be postponed until Monday at 2 o'clock, and be made pending business.

The substitute motion was lost.

The motion to make the bill a special order for Monday afternoon at 2 o'clock was adopted.

Invitation to Entertain.

Here Mr. Brown, of the State School for the Blind, accompanied by Miss Thomas, a student of the school and daughter of former Speaker Thomas, of the House of Representatives, was introduced to the Senate and Miss Thomas extended the following invitation to the Senate to attend an entertainment at the institution:

Mr. President and Honorable Senators:

I am glad to be with you, for my father's friends are mine, too.

I have come to you today as the spokesman of the Texas School for the Blind with an invitation to you, one

and all, to come out as our guests from 7 to 10 in the evening of Thursday the nineteenth instant.

Among the rarest gems in the casket of the memories of the students of that school are the recollections of the visits that have been made by your honorable predecessors and we are looking forward with great expectation to the privilege of adding another jewel to this choice collection.

Your visits are always an inspiration to us, and we are eager for the time to come so that we may have you with us again.

We shall offer you a program that we think will be pleasing to you while at the same time, it will afford you a pretty fair insight into our every-day work.

We shall feel ourselves highly honored by having you with us on that occasion.

Will you not come?

On motion of Senator Wood the invitation was accepted by the Senate.

Senate Bill No. 94.

Senator Wood here moved to reconsider the vote by which the Senate refused to finally pass S. B. No. 94.

The motion to reconsider was adopted.

The Chair then laid the bill before the Senate on third reading.

Senator Wood moved to reconsider the vote by which the Senate refused to adopt the amendment by Senator Bailey.

The motion was adopted.

Action recurred on the amendment by Senator Bailey and the same was lost by the following vote, a two-third vote being necessary:

Yeas—13.

Bailey.	Pollard.
Berkeley.	Price.
Bowers.	Russek.
Davis.	Strong.
Fairchild.	Ward.
Hardin of Kaufman.	Wood.
Moore of Cooke.	

Nays—10.

Bledsoe.	Real.
Holbrook.	Reid.
Murphy.	Triplett.
Parnell.	Wirtz.
Parr.	Woodward.

Absent.

Floyd.	Lewis.
Hardin of Erath.	

Absent—Excused.

Miller.	Stuart.
Moore of Hunt.	Witt.
Smith.	

The bill was then passed finally, by the following vote:

Yeas—12.

Berkeley.	Real.
Bledsoe.	Reid.
Davis.	Triplett.
Holbrook.	Ward.
Murphy.	Wirtz.
Parnell.	Woodward.

Nays—12.

Bailey.	Parr.
Bowers.	Pollard.
Fairchild.	Price.
Hardin of Kaufman.	Russek.
Lewis.	Strong.
Moore of Cooke.	Wood.

Absent.

Floyd.	Hardin of Erath.
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Absent—Excused.

Miller.	Stuart.
Moore of Hunt.	Witt.
Smith.	

The vote being a tie the Chair, Lieutenant Governor Miller, voted "yea" and declared the bill finally passed.

Senate Bill No. 150.

The Chair laid before the Senate, on third reading,

S. B. No. 150, A bill to be entitled "An Act preventing speculation of public printers, and to prevent public printers from reproducing and disposing of matter printed under public contract and profiting thereby without the consent of the State; defining the necessary offenses and fixing the penalty, and declaring an emergency."

The bill was read third time and passed finally, by the following vote:

Yeas—22.

Bailey.	Moore of Cooke.
Berkeley.	Murphy.
Bledsoe.	Parnell.
Bowers.	Parr.
Davis.	Pollard.
Fairchild.	Real.
Hardin of Kaufman.	Reid.
Holbrook.	Strong.
Lewis.	Triplett.

Ward.
Wirtz.

Wood.
Woodward.

Absent.

Floyd.
Hardin of Erath.
Moore of Hunt.

Price.
Russek.

Absent—Excused.

Miller.
Smith.

Stuart.
Witt.

Senate Bill No. 190.

The Chair laid before the Senate, on second reading,

S. B. No. 190, A bill to be entitled "An Act to amend Section 6. of Chapter 74, General Laws of the Second Called Session of the Thirty-sixth Legislature, and creating the sand, gravel and shell fund, providing for refund of taxes paid on marl, gravel, shell, or mudshell, by any county, city or town, or the State Highway Commission, and providing for the enforcement of the provisions of the sand, shell and gravel law, and for the establishment and maintenance of fish hatcheries, and repealing of laws in conflict herewith, and declaring an emergency."

The bill was read second time and passed to engrossment.

Senate Bill No. 161.

The Chair laid before the Senate, on second reading,

S. B. No. 161, A bill to be entitled "An Act to repeal Article 791 of the Code of Criminal Procedure of 1911 of the State of Texas, relating to the testimony of principals, accomplices and accessories."

The bill was read second time and passed to engrossment.

Senate Bill No. 81.

The Chair laid before the Senate, on second reading, being called from the table, by Senator Murphy,

S. B. No. 81, A bill to be entitled "An Act to amend Subdivision 2 of Section 7 of Chapter 83 of the Acts of the Regular Session of the Thirty-fifth Legislature approved March 15, 1917, relating to the prospecting for and the development of minerals and other substances in the public lands, islands, waters, river beds and channels owned by the State; and providing for the securing and payment for all permits for lease of said lands, especially bays, marshes, reefs, salt-water lakes and submerged lands, and declaring an emergency."

The bill was read second time on a previous date, and was this day passed to engrossment.

Senate Bill No. 102.

The Chair laid before the Senate, on second reading,

S. B. No. 102, A bill to be entitled "An Act regulating the manufacture and sale of ice; prohibiting the use of any impure water or any injurious chemicals or other injurious or impure ingredients in the manufacture of ice, and prohibiting discrimination in the sale of the same; providing for inspection by the State Health Department; requiring a license for its manufacture and sale; providing a penalty, and declaring an emergency."

Senator Bailey offered the following amendment:

Amend the bill by striking out the words and figures "one thousand (1,000)" wherever they occur in the bill and inserting in lieu thereof the words and figures "ten thousand (10,000)," and amend the caption of the bill by inserting after the words "sale of ice" where they occur in line 1 of the caption, line 7 of the printed bill "in cities and towns having a population of more than ten thousand (10,000)." Amend the caption further by inserting after the words "discrimination in the sale of the same" the words "in said cities." Amend the caption further by inserting after the words "State Health Department" the words "in said cities," and by inserting after the words "manufacture and sale" the words "in said cities," and by inserting after the words "providing a penalty" the words "for violation of this Act."

On motion of Senator Parnell, the bill and amendment were laid on the table, subject to call.

Senate Bill No. 131.

The Chair laid before the Senate, on second reading,

S. B. No. 131, A bill to be entitled "An Act to amend Articles 157, 161 and 163 of the Revised Statutes of the State of Texas of 1911, relating to the commitment and confinement of insane persons; the manner thereof; the furnishing of transcript of the proceedings relating thereto; repealing all laws in conflict herewith; declaring an emergency, and fixing a time for this Act to take effect."

The bill was read second time and passed to engrossment.

Senate Bill No. 180.

The Chair laid before the Senate, on second reading,

S. B. No. 180, A bill to be entitled "An Act providing that any foreign corporation not having a permit to do business in Texas, and lawfully owning stock of a corporation organized under the laws of Texas, may vote said stock and participate in the management and control of such corporation as other stockholders, subject to all laws, rules and regulations governing Texas corporations and limiting the number of domestic corporations in which such rights may be exercised by such foreign corporations, and declaring an emergency."

The bill was read second time and passed to engrossment.

Senate Bill No. 196.

The Chair laid before the Senate, on second reading,

S. B. No. 196, A bill to be entitled "An Act to authorize railroad companies to construct and operate spur or industrial tracks and to condemn property for right of way therefor, and declaring an emergency."

The bill was read second time and passed to engrossment.

House Bills on First Reading.

The following House bills were laid before the Senate, read severally first time and referred to appropriate committees.

H. B. No. 42, referred to Committee on Penitentiary Affairs.

H. B. No. 58, referred to Committee on State Affairs.

H. B. No. 75, referred to Committee on State Affairs.

H. B. No. 187, referred to Committee on Educational Affairs.

H. B. No. 195, referred to Committee on Educational Affairs.

H. B. No. 236, referred to Committee on Highways and Motor Traffic.

H. B. No. 250, referred to Committee on Criminal Jurisprudence.

H. B. No. 255, referred to Committee on Highways and Motor Traffic.

H. B. No. 262, referred to Committee on Educational Affairs.

H. B. No. 270, referred to Committee on Educational Affairs.

H. B. No. 277, referred to Committee on Public Lands and Land Office.

H. B. No. 283, referred to Committee on Educational Affairs.

H. B. No. 294, referred to Committee on Judicial Districts.

H. B. No. 309, referred to Committee on Educational Affairs.

H. B. No. 317, referred to Committee on Educational Affairs.

H. B. No. 329, referred to Committee on Judicial Districts.

H. B. No. 338, referred to Committee on Educational Affairs.

H. B. No. 219, referred to Committee on Educational Affairs.

H. B. No. 176, referred to Committee on Educational Affairs.

H. B. No. 216, referred to Committee on Educational Affairs.

H. B. No. 284, referred to Committee on Educational Affairs.

Conference Committee on S. B. No. 3.

The Chair here announced the appointment of the following, on part of the Senate, on Conference Committee on S. B. No. 3: Senators Wood, Real, Hardin of Erath, Price, Wirtz.

Senate Bill No. 41.

The Chair laid before the Senate, on second reading,

S. B. No. 41, A bill to be entitled "An Act to provide for the creation of a commission on uniform State laws, the appointment of commissioners thereto, and the payment of the expenses of such commissioners and contribution to the support of the national conference of commissioners on uniform laws, and declaring an emergency."

Senator Wirtz made the point of order that a bill on the same subject had been rejected by the House of Representatives and the Chair held that the bill could not now be considered by the Senate.

Recess.

On motion of Senator Wood the Senate, at 12 m., recessed until 2 o'clock today.

After Recess.

The Senate was called to order by Lieutenant Governor Miller.

Bills Re-Referred.

Senator Moore of Cooke moved that H. B. No. 52 and 53 be re-referred to the Committee on Criminal Jurisprudence.

The motion was adopted.

Senate Bill No. 104.

The Chair laid before the Senate, on second reading,

S. B. No. 104, A bill to be entitled "An Act amending Article 650b of the Revised Statutes of Texas of 1895, as enacted by the Thirtieth Legislature, Acts 1907, page 294, being Subdivision 73, Article 1121, of Title 25 of Revised Statutes of Texas of 1911, as amended by the Thirty-third Legislature, Acts 1913, page 352, so as to provide that private corporations may be created for, or, after being created, may so amend their charters, as to include two or more of the following purposes, namely: the supply of water to the public for irrigation, power, municipal or domestic purposes; the manufacture of and supply of ice to the public; the generation of and supply of gas, electric light and motor power to the public; the manufacture, supply and sale of carbonated water to the public; the operation of cottonseed oil mills, and the operation of cotton compresses, and removing the restrictions as to the amount of capital stock of such corporations, imposed thereby; provided, that corporations including more than one of the purposes named in this article shall pay the franchise tax provided by law for each of the purposes so included in their said charters, or amendments thereto."

The bill was read second time and passed to engrossment.

Senate Bill No. 208.

The Chair laid before the Senate, on second reading,

S. B. No. 208, A bill to be entitled "An Act to amend Article 4703 of Chapter 1, Title 70, and Article 5868, Chapter 2, Title 87, of the Revised Statutes of Texas of 1911, relating to survival of causes of action for person injuries and injuries resulting in death, and providing for the survival of causes of action for injuries resulting in death where the tort-feasor dies before suit is instituted, and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Bailey, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 208 put on its third reading and final passage, by the following vote:

Yeas—23.

Bailey.	Parnell.
Berkeley.	Parr.
Bledsoe.	Pollard.
Bowers.	Price.
Davis.	Reid.
Fairchild.	Strong.
Floyd.	Triplett.
Hardin of Kaufman.	Ward.
Holbrook.	Wirtz.
Lewis.	Wood.
Moore of Cooke.	Woodward.
Murphy.	

Absent.

Hardin of Erath. Russek.
Real.

Absent—Excused.

Miller. Stuart.
Moore of Hunt. Witt.
Smith.

S. B. No. 208 was laid before the Senate, read second time and passed finally.

Senate Bill No. 210.

The Chair laid before the Senate, on second reading,

S. B. No. 210, A bill to be entitled "An Act to provide that all bonds of the State or any county or subdivision thereof, or any city or municipality or district within the State shall be payable at one specific place of payment designated in the bond order or ordinance and providing that all bonds purchased with public funds belonging to the State of Texas, shall be payable at the office of the State Treasurer of the State of Texas, and declaring an emergency."

The bill was read second time, and Senator Lewis offered the following amendment, which was read and adopted:

Amend S. B. No. 210, page 1, line 25, by transposing the words "interest" and "principal" and inserting the word "principal" where the word "interest" now appears, and the word "interest" where the word "principal" now appears.

The bill was then passed to engrossment.

Bills and Resolutions on Table Subject to Call.

The Chair here asked unanimous consent, by request of Senator Moore of Hunt, who was absent, to lay the following bills and resolutions, now on calendar, on the table, subject to call. There was no objection and the Chair directed that S. J. R. No. 2, S. J. R. No. 5, S. B. No. 240, S. B. No. 248 and S. J. R. No. 3 laid on the table, subject to call.

Senate Bill No. 212.

The Chair laid before the Senate, on second reading.

S. B. No. 212, A bill to be entitled "An Act to amend Articles 1315 and 1316 of the Penal Code of the State of Texas of 1911, and declaring an emergency."

The committee report, providing a committee amendment, was adopted.

The bill was read second time, and Senator Bailey offered the following amendment, which was read and adopted:

Amend S. B. No. 212, by striking out all of lines 16 and 17, page 1 of the printed bill, and all of the committee amendment as adopted, and inserting in lieu thereof the words "by confinement in the penitentiary not less than five (5) years."

The bill was then passed to engrossment.

Senate Bill No. 251.

S. B. No. 251 was laid on the table, subject to call, on motion of Senator Davis.

Senate Bill No. 125.

The Chair laid before the Senate, on second reading.

S. B. No. 125, A bill to be entitled "An Act amending Article 5122 of the Revised Civil Statutes of 1911, relating to the appointment of jury commissioners by district courts, and prescribing their qualifications, so as to provide for the appointment by said courts of not less than three nor more than five such commissioners, and declaring an emergency."

The bill was read second time and laid on the table, subject to call.

Senate Bill No. 174.

The Chair laid before the Senate, on second reading.

S. B. No. 174, A bill to be entitled "An Act making the people secure in

their persons, houses, papers and possessions from all unlawful and unreasonable seizures or searches; making it unlawful in the trial of any court within this State to introduce evidence obtained or testimony secured by or through an unlawful or unreasonable seizure or search made by or under the direction of any peace officer, State Ranger, or any other person; providing for a penalty when making an unlawful search, and declaring an emergency."

The bill was read second time and passed to engrossment.

Senate Bill No. 185.

The Chair laid before the Senate, on second reading.

S. B. No. 185, A bill to be entitled "An Act providing for the licensing of chiropractors, for registering license granted to chiropractors, etc."

Senator Parr moved that the bill be laid on the table, subject to call, and Senator Holbrook moved, as a substitute, that the consideration of bill be indefinitely postponed.

The substitute motion was adopted.

Senate Bill No. 233.

The Chair laid before the Senate, on second reading.

S. B. No. 233, A bill to be entitled "An Act providing that all statements made to any fraternal benefit society by the insured shall, in the absence of fraud, be deemed representations and not warranties; that the policies shall be incontestible after two years from date; and providing that in all cases where a loss occurs and the fraternal benefit society liable thereunder shall fail to pay the same within thirty days after demand therefor, such society shall be liable to pay the beneficiary of such policy, in addition to the amount of the loss, twelve per cent damages on the amount of such loss, together with reasonable attorneys' fees for the prosecution and collection of such loss."

The bill was read second time, and Senator Wood offered the following amendment, which was read and adopted:

Amend S. B. No. 233, page 1, line 26, by striking out the words "demand" and "therefore" and inserting in lieu thereof the following: "proofs of death have been made."

Senator Bailey offered the following amendment, which was read and adopted:

Amend the bill and caption thereof by striking out in line 13 and line 26, page 1, of the printed bill the word "thirty" and inserting in lieu thereof the word "sixty."

Senator Bailey offered the following amendment:

Amend the bill by striking out in lines 15, 16, 28 and 29, page 1, of the printed bill the words "twelve per cent damages on the amount of such loss" and by adding in lieu thereof, after word "loss" in lines 15 and 30, page 1, of the printed bill the words "not to exceed ten per cent of the amount of the judgment recovered."

Senator Wood moved to table the amendment, which motion to table was adopted, by the following vote:

Yeas—15.

Berkeley.	Parr.
Bledsoe.	Reid.
Bowers.	Strong.
Davis.	Triplett.
Floyd.	Wirtz.
Moore of Cooke.	Wood.
Murphy.	Woodward.
Parnell.	

Nays—7.

Bailey.	Pollard.
Fairchild.	Price.
Holbrook.	Ward.
Lewis.	

Absent.

Hardin of Erath.	Real.
Hardin of Kaufman	Russek.
Moore of Hunt.	

Absent—Excused.

Miller.	Stuart.
Smith.	Witt.

Senator Wirtz offered the following amendment:

Amend S. B. No. 233 by adding a new section to be known as Section 3, to read as follows:

"Section 3. All policies hereinafter written by any fraternal benefit society doing business in this State shall provide that no change thereafter made in any of the by-laws of such society shall in any way affect the liability of such society under its policy and the by-laws as they existed at the time such policy was issued, and no by-law thereafter adopted shall be held to in any way affect the liability of said society as it would have existed if the by-laws had remained as they existed at the

time of the issuance of the policy."

The amendment was read and adopted.

The bill was then passed to engrossment.

Senate Bill No. 251.

Senator Davis called from the table S. B. No. 251, being the eleemosynary appropriation bill, and under the rules, H. B. No. 382, the same subject matter having been received,

The Chair laid before the Senate, on second reading,

H. B. No. 382, being the eleemosynary appropriation bill.

Message From the House.

Hall of the House of Representatives,
Austin, Texas, Feb. 13, 1925.

Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

H. B. No. 382, A bill to be entitled "An Act making appropriations to pay the salaries of officers and employees of certain eleemosynary institutions of the State, and other expenses of maintaining and conducting them for the two fiscal years beginning September 1, 1925, and ending August 31, 1927, as follows, to-wit: Confederate Woman's Home; State Confederate Home; State Colony for Feeble-Minded; Deaf, Dumb and Blind Institute for Colored Youths; East Texas Hospital for the Insane; State Epileptic Colony; Girls' Training School; Home for Dependent and Neglected Children; North Texas Hospital for Insane; Northwest Texas Hospital for Insane; Southwestern Insane Asylum; State Juvenile Training School; State Lunatic Asylum; State Pasteur Institute; State Lunatic Asylum Annex; State Orphans' Home; State Tuberculosis Sanatorium; State Hospital for Crippled and Deformed Children, and declaring an emergency."

Respectfully submitted,

C. L. PHINNEY,
Chief Clerk, House of Representatives.

House Bill on First Reading.

The following House bill was laid before the Senate, read first time, and referred to appropriate committee.

H. B. No. 382, referred to Committee on Finance.

Bills Signed.

The Chair, Lieutenant Governor Miller, gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills and resolution:

S. B. No. 227.
S. B. No. 216.
S. B. No. 179.
S. B. No. 167.
S. B. No. 163.
S. B. No. 77.
S. B. No. 37.
S. B. No. 18.
S. B. No. 149.
S. B. No. 162.
S. B. No. 168.
S. B. No. 175.
S. B. No. 56.
S. B. No. 213.
S. B. No. 90.
S. B. No. 123.
H. B. No. 230.
H. B. No. 130.
H. B. No. 2.
S. C. R. No. 22.

Adjournment.

On motion of Senator Wood the Senate, at 4:30 o'clock p. m., adjourned until 10 o'clock Monday morning.

APPENDIX.**Committee Reports.**

Committee Room,
Austin, Texas, Feb. 13, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 305, A bill to be entitled "An Act to prohibit the doing of the Acts hereinafter recited, and to declare them to be offenses; and defining and fixing penalties for violation of the provisions of this Act, and declaring emergency.

(a) Going into or near any public place masked or disguised, and defining a public place.

(b) Going masked or disguised into or near any private house, or who demand or seek entrance therein, or disturb the inhabitants thereof.

(c) Going masked into a church or other place where people are assembled for religious purposes or services.

(d) The acting in concert of two or more persons when masked or disguised or the aiding or abetting by said persons of each other and the assaulting when so in disguise by such person of any other person, or the false imprisonment by such persons of any other person.

(e) The parading of any secret society or organization or a part of the members thereof, when masked or disguised upon or along any public road or any street or alley of any city or town of this State, and declaring equally guilty other members of such society who aid, abet or encourage such parading, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

WARD, Chairman.

Committee Room,
Austin, Texas, Feb. 13, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 304, A bill to be entitled "An Act providing for publicity as to membership and official connection with fraternal, benevolent or other societies, organizations, lodges, or orders; requiring the filing with the county tax collector of signed and sworn statements disclosing membership of official connection, either present or within two years next preceding, with any such society, organization, lodge or order, and making such statements public records subject to the inspection of any citizen; prescribing the form of such statements; prescribing the duties of the tax collector in connection with such statements; prescribing penalties for false statements and violation or failure to comply with this Act or any provision hereof, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

WARD, Chairman.

Committee Room,
Austin, Texas, Feb. 13, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 291, A bill to be entitled "An Act making it unlawful for any person to drive or propel any automobile, automobile truck, or other motor driven vehicle upon the track of any railroad operated by a steam railroad company or the receiver thereof, or operated by any interurban railroad company or the receiver thereof, at the place of the crossing of any public road or street or grade, without stopping at a distance of not less than twenty feet nor more than fifty feet from the nearest rail and looking and listening; providing that the act shall not apply in certain cases; making it a misdemeanor to violate any of the provisions of the Act, and prescribing punishment therefor; providing that failure to stop, look and listen, shall not be negligence per se but shall be considered with all other facts and circumstances in determining the issue of contributory negligence; providing for the repeal of Section 17 of Chapter 207 of the General Laws of the Regular Session of the Thirty-fifth Legislature as officially published, and for the repeal of so much of Chapter 31 of the officially published General Laws of the First Called Session of the Thirty-fifth Legislature and so much of Chapter 13 of the officially published General Laws of the Third Called Session of the Thirty-fifth Legislature and make it a misdemeanor to violate said Section 17 of said Chapter 207 of the General Laws of the Thirty-fifth Legislature and prescribe punishment therefor; authorizing peace officers to make arrests for the violation of the Act committed within their view or presence; providing for the erecting and maintaining of sign boards by steam and interurban railroad companies or the receivers thereof at every grade crossing of a public road or street and making them liable for damages for injuries occurring by reason of neglect or refusal to erect and maintain sign boards; repealing Article 6563 Revised Civil Statutes of the State of Texas of 1911, relating to erecting signs at crossings, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, with the following committee amendment:

Strike out all of Section 3 of the bill and in lieu thereof insert the following:

"Section 3. In all actions against any corporation, receiver or person operating any railroad or interurban railroad in this State, to recover damages for personal injuries or death resulting from accident or collision at any road crossing in this State, the defense of contributory negligence shall not bar a recovery but the damages shall be diminished in proportion to the amount of negligence attributable to the injured party or the deceased. The term 'Contributory Negligence,' as here used shall include any violation of statute or ordinance."

WARD, Chairman.

Committee Room,
Austin, Texas, Feb. 12, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

H. B. No. 382, A bill to be entitled "An Act making appropriations to pay the salaries of officers and employes of certain eleemosynary institutions of the State, and other expenses of maintaining and conducting them for the two fiscal years beginning September 1, 1925, and ending August 31, 1927, as follows, to-wit: Confederate Woman's Home; State Confederate Home; State Colony for Feeble-Minded; Deaf, Dumb and Blind Institute for Colored Youths; East Texas Hospital for the Insane; State Epileptic Colony; Girls' Training School; Home for Dependent and Neglected Children; North Texas Hospital for Insane; Northwest Texas Hospital for Insane; Southwestern Insane Asylum; State Juvenile Training School; State Lunatic Asylum; State Pasteur Institute; State Tuberculosis Sanatorium; State Hospital for Crippled and Deformed Children, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that all after the enacting clause be stricken out and that S. B. No. 251 on the same subject matter be inserted in lieu thereof, and that the bill as substituted do pass, but be not printed.

DAVIS, Chairman.

Committee Room,
Austin, Texas, Feb. 12, 1925.
Hon. Barry Miller, President of the
Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 17, A bill to be entitled "An Act to provide for co-operation between the State of Texas and the U. S. Department of Agriculture in the destruction of rodent pests, prairie dogs, rats, pocket-gophers and ground squirrels, and predatory animals, coyotes, wolves, mountain lions, bob-cats and other predatory animals; appropriating funds for such purpose, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed for the reason that it has already been printed, with the following Committee amendments:

1. Amend S. B. No. 17, by striking out Sections 2 and 3 and insert in lieu thereof the following:

Section 2. That no money which shall be hereinafter appropriated for the purpose of co-operating with the U. S. Department of Agriculture, Bureau of Biological Survey, in destroying predatory animals or for rodent control, shall be expended unless the Federal Congress shall appropriate adequate funds from the U. S. Treasury to conduct such co-operative work under contracts hereinafter provided for.

Sec. 3. Any money hereafter appropriated for rodent control and predatory animal control shall be apportioned equally between the two divisions, that is, one-half allotted for rodent control and the other one-half for predatory animal control. Said funds shall be expended in amounts as authorized by the President of the Agricultural and Mechanical College of Texas and disbursed by warrants issued by the State Comptroller upon vouchers or payrolls certified by the Director of Rodent Control for the Rodent Control Division of the work; and in amounts as authorized by the Chairman of the Livestock Sanitary Commission of Texas and disbursed by warrants issued by the State Comptroller upon vouchers or payrolls certified by the Chairman of the

Livestock Sanitary Commission for the Predatory Animal Control Division of the work.

The work of destroying rodent pests and predatory animals is to be carried on under the direction of the Bureau of Biological Survey of the United States.

2. Amend S. B. No. 17, by adding to Section 4, the following:

"Provided, however, that no co-operative agreement shall be entered into as provided for in this section which shall attempt to bind the State of Texas in expending more money than shall be appropriated by the Legislature from time to time for the purpose provided for in this Act.

3. Amend S. B. No. 17, page 3, Section 6, by striking out line 2, and insert in lieu thereof the following:

"Treasury to be credited and added to any sum or sums that may be appropriated for the purposes of predatory animal control."

4. Amend S. B. No. 17, by striking out all of Section 7 and insert in lieu thereof the following:

Section 7. The county commissioners' Court of any county may, if they so desire, by an order duly entered upon the minutes of said court, provide for and pay a bounty for all predatory animals caught or taken by hunters or trappers, where said hunters or trappers are not operating under this Act; provided, however, that the bounty offered by the commissioners' court does not exceed ten dollars per scalp where the hunter or trapper retains the pelt. No bounty shall be paid by the county commissioners' court of any county in this State on any animals caught or taken by hunters or trappers operating under this Act. Scalps of animals taken by hunters or trappers under this Act are to be destroyed and all skins of commercial value sold and every precaution taken to prohibit the collection of bounty by any person hunting or trapping under this Act.

DAVIS, Chairman.

Committee Room,
Austin, Texas, Feb. 13, 1925.
Hon. Barry Miller, President of the
Senate.

Sir: We, your Committee on Insurance, to whom was referred

S. B. No. 292, A bill to be entitled "An Act to amend Article 4859, Title 71, Chapter 7, of the Revised Statutes of 1911, as amended by Chap-

ter 50 of the Acts of the Regular Session of the Thirty-sixth Legislature approved March 13, 1919, by adding thereto Articles 4859a, 4859b, 4859c, 4859d, and 4859e so as to provide that there shall not be more than 2000 members in any one class or group and further providing that every local mutual aid association hereafter organized in this State shall first obtain a permit from the Commissioner of Insurance; providing that such associations shall have a president, and that the officer having charge of the funds of such organization now or hereafter organized shall execute a bond to be approved by the president thereof and payable to him in the sum of not less than \$1000.00 and \$1.00 for each member in excess of 1,000 members; providing penalties for violations of the provisions of this Act, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

RUSSEK, Chairman.

(Majority Report.)

Committee Room,

Austin, Texas, Feb. 13, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, a majority of your Committee on Insurance, to whom was referred

S. B. No. 221, A bill to be entitled "An Act providing that no life insurance company shall be required to invest, or keep invested, in Texas securities, any part of the aggregate amount of the legal reserve required by the laws of the state of its domicile to be maintained on account of its policies of insurance in force, written upon the lives of citizens of this State, and which reserve is denominated as its Texas reserve; and that the having made, or making of any such investment shall not be a condition of its receiving a certificate of authority to transact the business of life insurance in the State of Texas because of failure to comply with the laws of this State relating to occupation taxes or to required investments; nor shall this Act be construed to remit, or preclude the collection of, any taxes, heretofore and now due the State of Texas, from any life insurance company; and providing that any cause

of action or actions which the State of Texas now has, or may have, against any life insurance company for taxes due the State, under any of the laws of this State, is expressly reserved to the State, together with all remedies to enforce the collection of the same; providing that any such taxes when paid shall be for the use and benefit of the public schools of this State, and the same is hereby appropriated for that purpose; one-fourth thereof to the available school fund, one-fourth to be equally divided among the University of Texas and its branches, one-fourth to be equally divided among the A. & M. College, College of Industrial Arts and Texas Technological College, and one-fourth to be equally divided among the State Teachers' Colleges; providing further that no penalties, which may now have accrued for the violation of any of the provisions of Chapter 3 of Title 71 of the Complete Texas Statutes of 1920, shall be enforced or collected, and providing that if any part of this Act shall be adjudged invalid by any court of competent jurisdiction, such judgment shall not affect, impair or invalidate the remaining portions of this Act; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, with the committee amendment as adopted as follows:

Amend S. B. No. 221, Section 2, page 2, by striking out lines 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11 of said Section 2, and all of line 12 down to the semicolon after the word "same" and insert in lieu thereof the following, "Nothing herein shall be construed to mean that any insurance company having heretofore withdrawn from this State shall in any manner be released from the payment of any taxes due the State of Texas by reason of any business transacted in or insurance in force in this State and the payment of any such taxes shall be a condition precedent to the issuance of a certificate of authority to transact business in this State.

RUSSEK, Chairman.

(Minority Report.)

Committee Room,
Austin, Texas, Feb. 13, 1925.
Hon. Barry Miller, President of the
Senate.

Sir: We, a minority of your Committee on Insurance, to whom was referred

S. B. No. 221,

Beg leave to dissent from the opinion of the majority, and respectfully report that the bill be not passed.

HARDIN of Kaufman,
STRONG,
DAVIS.

Committee Room,
Austin, Texas, Feb. 13, 1925.
Hon. Barry Miller, President of the
Senate.

Sir: We, your Committee on Insurance, to whom was referred

S. B. No. 289, A bill to be entitled "An Act to require every insurance company, corporation, inter-insurance exchange, reciprocal, association, Lloyds or other insured writing Workmen's Compensation, Employers' Liability, Public Liability, Teams Liability, Automobile Liability, Elevator Liability, Contractual Liability, Product Liability, Sports Liability, Druggists' Liability, Physicians', Surgeons' and Dentists' Liability, Hospital Liability, Property Damage Liability, Automobile Collision, Elevator Collision, Burglary, Theft, Larceny, Robber, Plate Glass, Bank Check, Forgery, Sprinkler Leakage, Water Damage, Fraud, Steam Boiler, Fly-Wheel, Engine Breakage, Electrical Machinery, Automobile Fire, Theft and Transportation Insurance, and Fidelity and Surety Bonds and undertakings in this State, to file with the Commissioner of Insurance its classification of risks and premium rates together with basis rates and schedule and experience or merit-rating plan and any other plan of adjusting rates to individual risks; etc., etc."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

RUSSEK, Chairman.

Committee Room,
Austin, Texas, Feb. 12, 1925.
Hon. Barry Miller, President of the
Senate.

Sir: We, your Committee on Public Health, to whom was referred

S. B. No. 271, A bill to be entitled "An Act to establish a State Board of Embalmers and Undertakers; to provide a system of examinations for embalmers' licenses and undertakers' licenses; to provide for the registration and licensing of embalmers and undertakers to practice their profession or business in the State of Texas; to provide for the better protection of life and health and the prevention for the spread of infectious and contagious diseases; to provide regulations for the revocation of embalmers' licenses and undertakers' licenses by the State Board of Embalmers and Undertakers; defining who are embalmers and undertakers; defining violations of this Act and fixing penalties therefor; repealing all laws and parts of laws in conflict herewith; fixing a time when same shall take effect, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, with the following committee amendment:

Amend S. B. No. 271, by striking out all of Section 7 and insert in lieu thereof the following:

Section 7. That for the purpose of this Act the term "undertaker" shall be construed to mean any person, firm or corporation engaged in the retail sale of coffins and caskets or any receptacle for a dead human body, or any person, firm or corporation engaged either in whole or in part, in the business of directing funerals. In case of firms or corporations, such firm or corporation may designate one of its firm or one of its corporate agents or officers, and the holding of a license under this Act by any such member of the firm, or by such agent or officer of such corporation, shall be a compliance with the terms of this Act as to undertakers. Owners and operators of mausoleums and over-ground vaults are not included in this definition. Provided that the term "undertaker," as used herein, shall not be construed to include those merchants who merely sell coffins or caskets or both, and who do not in any way have the care and handling of dead human bodies.

BERKELEY, Chairman.

Committee Room,
Austin, Texas, Feb. 12, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Public Health, to whom was referred

H. B. No. 103, A bill to be entitled "An Act to prevent fraud in the selling and repairing of mattresses, sleeping pads, quilts and comforts."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BERKELEY, Chairman.

Committee Room,
Austin, Texas, Feb. 12, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Public Health, to whom was referred

S. B. No. 267, A bill to be entitled "An Act authorizing the State Health Commissioner through special inspectors to prevent materials subject to infectious diseases or re-making of hand bedding or bedding to be re-made bedding and prevent the sale of bedding so made; providing for the sterilization of second-hand bedding or bedding to be re-made or renovated; requiring proper description of the materials used in the making, re-making or renovating of bedding and providing a penalty for failure to make proper designation by the use of tags and providing a penalty for the improper removal, defacing or alteration of such tags; providing revenue for the enforcement of this Act through purchase of tags from the State of Texas; defining a unit of offense hereunder; providing a penalty for failure to comply with sanitary rules; providing for inspection of manufacturing conditions providing for issuance of a certificate or permit to plants complying with sanitary regulations in the making, re-making or renovating of bedding; providing for information and prosecution and defining a penalty for any violation of any provisions of this Act.

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BERKELEY, Chairman.

Committee Room,
Austin, Texas, Feb. 13, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Privi-

leges and Elections, to whom was referred

S. B. No. 75, A bill to be entitled "An Act regulating and providing for a better primary election system in this State; providing for a preferential or first and second choice ballot in primaries, and declaring an emergency."

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do not pass, but that a (the) Committee Substitute Bill therefor do pass in lieu thereof.

MOORE of Hunt, Chairman.

Committee Room,
Austin, Texas, Feb. 13, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 190 carefully examined and compared, and find same correctly engrossed.

STRONG, Chairman.

Committee Room,
Austin, Texas, Feb. 13, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 81 carefully examined and compared, and find same correctly engrossed.

STRONG, Chairman.

Committee Room,
Austin, Texas, Feb. 13, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 180 carefully examined and compared, and find same correctly engrossed.

STRONG, Chairman.

Committee Room,
Austin, Texas, Feb. 13, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 161 carefully examined and compared, and find same correctly engrossed.

STRONG, Chairman.

Committee Room,
Austin, Texas, Feb. 13, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 131 carefully examined and compared, and find same correctly engrossed.

STRONG, Chairman.

Committee Room,
Austin, Texas, Feb. 13, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 210 carefully examined and compared, and find same correctly engrossed.

STRONG, Chairman.

Committee Room,
Austin, Texas, Feb. 13, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 208 carefully examined and compared, and find same correctly engrossed.

STRONG, Chairman.

Committee Room,
Austin, Texas, Feb. 13, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 104 carefully examined and compared, and find same correctly engrossed.

STRONG, Chairman.

Committee Room,
Austin, Texas, Feb. 13, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 174 carefully examined and compared, and find same correctly engrossed.

STRONG, Chairman.

Committee Room,
Austin, Texas, Feb. 13, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 212 carefully examined and compared, and find same correctly engrossed.

STRONG, Chairman.

Committee Room,
Austin, Texas, Feb. 12, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 149 carefully examined and compared, and find same correctly enrolled, and have this day at 11:45 o'clock a. m. presented same to the Governor for her approval.

FLOYD, Chairman.

Committee Room,
Austin, Texas, Feb. 13, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 167

carefully examined and compared, and find same correctly enrolled, and have this day at 11:15 o'clock a. m. presented same to the Governor for her approval.

FLOYD, Chairman.

Committee Room,
Austin, Texas, Feb. 13, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 163 carefully examined and compared, and find same correctly enrolled, and have this day at 11:15 o'clock a. m. presented same to the Governor for her approval.

FLOYD, Chairman.

Committee Room,
Austin, Texas, Feb. 13, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 18 carefully examined and compared, and find same correctly enrolled, and have this day at 11:15 o'clock a. m. presented same to the Governor for her approval.

FLOYD, Chairman.

Committee Room,
Austin, Texas, Feb. 13, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 216 carefully examined and compared, and find same correctly enrolled, and have this day at 11:15 o'clock a. m. presented same to the Governor for her approval.

FLOYD, Chairman.

Committee Room,
Austin, Texas, Feb. 13, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 162 carefully examined and compared, and find same correctly enrolled, and have this day at 11:15 o'clock a. m. presented same to the Governor for her approval.

FLOYD, Chairman.

Committee Room,
Austin, Texas, Feb. 13, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 227 carefully examined and compared, and find same correctly enrolled, and

have this day at 11:15 o'clock a. m. presented same to the Governor for her approval.

FLOYD, Chairman.

Committee Room,
Austin, Texas, Feb. 13, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 77 carefully examined and compared, and find the same correctly enrolled, and have this day at 11:15 o'clock a. m. presented same to the Governor for her approval.

FLOYD, Chairman

Committee Room,
Austin, Texas, Feb. 13, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 37 carefully examined and compared, and find the same correctly enrolled, and have this day at 11:15 o'clock a. m. presented same to the Governor for her approval.

FLOYD, Chairman.

Committee Room,
Austin, Texas, Feb. 13, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 168 carefully examined and compared, and find the same correctly enrolled, and have this day at 11:15 o'clock a. m. presented same to the Governor for her approval.

FLOYD, Chairman.

Committee Room,
Austin, Texas, Feb. 13, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. C. R. No. 22 carefully examined and compared, and find the same correctly enrolled, and have this day at 11:15 o'clock a. m. presented same to the Governor for her approval.

FLOYD, Chairman.

Committee Room,
Austin, Texas, Feb. 13, 1925.
Hon. Barry Miler, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 179 carefully examined and compared, and find the same correctly enrolled, and have this day at 3:45 o'clock p. m. presented same to the Governor for her approval.

FLOYD, Chairman.

Committee Room,
Austin, Texas, Feb. 13, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 56 carefully examined and compared, and find the same correctly enrolled, and have this day at 3:45 o'clock p. m. presented same to the Governor for her approval.

FLOYD, Chairman.

Committee Room,
Austin, Texas, Feb. 13, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 218 carefully examined and compared, and find the same correctly enrolled, and have this day at 3:45 o'clock p. m. presented same to the Governor for her approval.

FLOYD, Chairman.

Committee Room,
Austin, Texas, Feb. 13, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 90 carefully examined and compared, and find the same correctly enrolled, and have this day at 3:45 o'clock p. m. presented same to the Governor for her approval.

FLOYD, Chairmna.

Committee Room,
Austin, Texas, Feb. 13, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 123 carefully examined and compared, and find the same correctly enrolled, and have this day at 3:45 o'clock p. m. presented same to the Governor for her approval.

FLOYD, Chairman.

TWENTY-SIXTH DAY.

Senate Chamber,
Austin, Texas,
Monday, February 16, 1925.
The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Barry Miller.